

**IN THE UNITED PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL & APPEAL BOARD**

Leo Stoller
CENTRAL MFG. CO. (INC.)
P.O. Box 35189
Chicago, IL 60707-0189

Trademark: DARKSTAR

vs. Opposer,

Application SN: 76-308,975

NORTHERN TELEPRESENCE CORP.
(a Vermont corporation)
96 John Putnam Memorial Drive
Cambridge, Vermont 05444-0267

Int. Class No: 09

Filed: September 5, 2001

Published: January 28, 2003

Applicant.

Box TTAB/FEE
(IN TRIPLICATE)

DARKSTAR vs. DARKSTAR

NOTICE OF OPPOSITION

1. In the matter of Intent to Use Application SN 76-308,975, for the mark **DARKSTAR**, in Int. Class 09 for near infrared imaging systems comprised of low light video camera, near infrared emitter and video display for providing night vision.

2. The Opposer, or it's predecessor in title, has priority of use of the mark **DARKSTAR**, in Common Law, on night imaging systems comprised of low light video cameras, video displays, etc. and on a broad range of goods and services which are listed in the Federal Registrations, and on similar goods, related goods, and competitive goods; incorporated herein by reference, sold to the identical customers, through similar channels of trade that Applicant's goods are sold in, and/or are to be sold. The Opposer, or it's predecessor in title, has priority of use of the mark **DARKSTAR** on similar and/or related goods as early as 1990. See the goods listed in Opposer's **DARKSTAR** Federal Trademark Registrations.

3. The Opposer has priority of use of the mark *DARKSTAR* in numerous classes of goods and services. The Opposer holds rights to a family of *DARKSTAR* marks, promoted together in concert, as are well known to the Applicant, which goods and services are sold in the same channels of trade and to similar customers as Applicant's since at least as early as 1990 and hereby opposes registration of the confusingly similar mark *DARKSTAR*, Application Serial No. 76-308,975.

4. There is no issue as to priority. The Applicant's intent to use date is subsequent to the issuance date of Opposer's said Registrations and it's listed first use date(s).

5. Opposer has the only registered *DARKSTAR* trademarks on the Principle Register. See attached U.S. Patent and Trademark Office TESS search.

6. Opposer has sold its goods and services listed in the aforesaid registrations under the aforesaid *DARKSTAR* marks, as herein before referred to, throughout the United States. Opposer has developed an exceedingly valuable goodwill in respect to the *DARKSTAR* marks covered by the aforesaid registrations.

7. By virtue of its efforts, and the expenditure of considerable sums for promotional activities and by virtue of the excellence of its products, the Opposer has gained for its listed marks a most valuable and famous reputation.

8. The Opposer licenses the *DARKSTAR* mark for a wide variety of collateral merchandise and expends substantial sums of money on policing the use of Opposer popular and famous trademark on a broad range of goods and services.

9. The Opposer holds rights ¹ directly in the following well-known *DARKSTAR* trade

1. §16.13 McCARTHY ON TRADEMARKS, II. Ownership. Who Is Owner Of Trademark, [1] Introduction, Trademarks have often been held to be a kind of "property." In discussing "ownership" of a trademark, we must recognize that we are dealing with intangible, intellectual property. "Ownership" means that one possesses a right which will be recognized and upheld in the courts: To say one has a "trademark" implies ownership and ownership implies the right to exclude others. If the law will not protect one's claim of right to exclude others from using an alleged trademark, then he does not own a "trademark", for that which all are free to use cannot be a trademark. Application of Deister Concentrator Co., 48 CCPA 952, 289 F.2d 496, 129 USPQ 314 (1961). Trademark ownership inures to the legal entity who is in fact using the mark as a symbol of origin. The Federal Trademark Register can be rectified in order to correct the ownership of a registered mark or a pending application. Chapman v. Mill Valley Cotton, 17 USPQ2d 1414 (TTAB 1990) (Opposer Alpha alleged that she, not applicant, owned the mark. Applicant was a joint venture composed of parties Alpha and

mark registrations, all of which are incorporated herein and notice is hereby given that Opposer relies upon the following *DARKSTAR* Registrations. See attached Registrations.

THE DARKSTAR FAMOUS BRAND

OUR FAMILY OF STEALTH FEDERAL TRADEMARKS¹

<u>TRADEMARK</u>	<u>REG. NO.</u>	<u>REG. DATE</u>	<u>INT. CLASS</u>	<u>FIRST USE</u>
<i>DARKSTAR LAGER</i>	1,903,753	07-04-95	32	09-29-93
<i>DARKSTAR</i>	2,128,798	01-13-98	2	01-00-88
<i>DARKSTAR</i>	2,127,199	01-06-98	3	01-00-88
<i>DARKSTAR</i>	2,057,613	04-29-97	9	01-00-88
<i>DARKSTAR</i>	2,576,910	06-11-02	11	01-00-88
<i>DARKSTAR</i>	2,081,565	07-22-97	12	01-00-86
<i>DARKSTAR</i>	2,061,586	05-13-97	14	01-00-88
<i>DARKSTAR</i>	2,071,763	06-17-97	16	01-00-86
<i>DARKSTAR</i>	2,081,347	07-22-97	18	01-00-86
<i>DARKSTAR</i>	2,128,797	01-13-98	20	01-00-88
<i>DARKSTAR</i>	2,083,721	07-29-97	25	01-00-86
<i>DARKSTAR</i>	2,076,785	07-02-97	28	01-00-88
<i>DARKSTAR</i>	2,110,838	11-04-97	36	01-00-88
<i>DARKSTAR</i>	2,077,635	07-08-97	41	01-00-88
<i>DARKSTAR</i>	2,564,888	04-30-02	8	06-00-81

10. Since 1997 the Opposer has forcefully extended its well-known trademark into the Applicant's market and today is a model for other in the trademark marketing and licensing industry in handling successfully brand extension as well known to the Applicant.

11. On *October 5, 2001* and *May 30, 2002*, the Opposer sent correspondence to the President of NORTHERN TELEPRESENCE CORP., and on *June 21, 2002*, the Opposer sent correspondence to *Stephen P. Burr, Esq.*, counsel for the Applicant; true and correct copies are attached hereto and made a part hereof.

12. The trademark proposed for registration by the Applicant, namely **DARKSTAR**, is substantially incorporated in its entirety in Opposer's mark *DARKSTAR* and **DARKSTAR** is applied to similar goods and services as those sold by Opposer and so nearly resemble the Opposer's mark as to be likely to confuse therewith and mistake therefore.

...Continued...

Beta. After some litigation in state court, the parties filed an assignment from party Beta to party Alpha amounting to a concession that Alpha was indeed the owner of the mark. The Board viewed the TLRA 1989 amended version of §18, which permits rectifying the "register" as broad enough to include changing the name of the owner of an application, as well as of an issued registration.

1. Notice is hereby served on the Applicant that the Opposer is entitled to rely on all of Opposer's **DARKSTAR** Federal Trademark Registrations in support of this Opposition.

13. The Applicant's mark **DARKSTAR** is identical to Opposer's *DARKSTAR* mark so as to cause confusion and lead to deception as to the origin of Applicant's goods bearing the Applicant's mark.

14. If the Applicant is permitted to use and register **DARKSTAR** for its goods, as specified in the application herein opposed, confusion in trade resulting in damage and injury to the Opposer would be caused and would result by reason of the similarity between the Applicant's mark and the Opposer's mark. Persons familiar with Opposer's mark *DARKSTAR* would be likely to buy Applicant's goods as and for a service sold by the Opposer. Any such confusion in trade inevitably would result in loss of sales to the Opposer. Furthermore, any defect, objection or fault found with Applicant's goods marketed under its **DARKSTAR** mark would necessarily reflect upon and seriously injure the reputation which the Opposer has established for its products merchandised under its *DARKSTAR* marks for over 20 years.

15. If the Applicant were granted the registration herein opposed, it would thereby obtain at least a *prima facie* exclusive right to the use of its mark. Such registration would be a source of damage and injury to the Opposer.

16. Opposer asserts that there is a likelihood of confusion between the Applicant's mark **DARKSTAR** and the Opposer's registered family of *DARKSTAR* and *DARKSTAR* formative marks under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d).

17. Opposer asserts that its mark *DARKSTAR* is well known and/or famous and that the Applicant seeking registration of the confusingly similar mark **DARKSTAR**, which when used, would cause dilution under section 43(c).

18. Opposer's *DARKSTAR* mark has become famous as of 1995.

19. If Applicant's mark **DARKSTAR** is allowed to register it will lessen the capacity of Opposer's famous mark *DARKSTAR* to identify and distinguish its goods or services and to license its well known *DARKSTAR* BRAND NAME.

20. The Opposer uses its famous *DARKSTAR* mark as a trade name, corporate name, service mark and trademark since at least as early as 1981 and is engaged in an aggressive *DARKSTAR* licensing and marketing program, as well known to the Applicant.

21. The Opposer, located in Chicago, Illinois, believes that it will be damaged by registration of the mark **DARKSTAR** shown in Application SN 76-308,975 and hereby opposes same. The Opposer uses its *DARKSTAR* mark as a trade name, corporate name, service mark and trademark and engages in an aggressive licensing program for over 20 years,

as well known to the Applicant.

22. The Opposer has used the trademark *DARKSTAR* as a trade name, service mark and house mark in interstate commerce, since at least as early as 1981, long prior to Applicant's submission of its Application for Federal Registration of the mark **DARKSTAR**.

23. The Opposer is the exclusive worldwide Licensor of the mark *DARKSTAR* as listed in the 1999 Licensing Resource Directory, as well known to the Applicant.

24. The Opposer has priority of use, as early as 1990, on the same and/or related goods, as previously stated and on the goods listed in Federal trademark registrations.

25. The use of the Applicant's mark **DARKSTAR** sought to be registered in the aforesaid application is likely to blur the distinctiveness of the Opposer's famous *DARKSTAR* trademark(s).

26. The use of the Applicant's mark **DARKSTAR** sought to be registered in the aforesaid application is likely to cause confusion, mistake or deception in the buying public or cause the public to believe that there is a connection between the parties, or a sponsorship of Applicant's goods by Opposer.

27. The Opposer licensed its *DARKSTAR* mark on a wide variety of collateral merchandise.

28. The Opposer expends substantial sums of money on policing the use of its famous *DARKSTAR* trademark.

29. The Opposer has forcefully extended its famous trademark and today is a model for others in handling successfully such a brand extension.

30. The Applicant's mark **DARKSTAR** is identical to Opposer's mark *DARKSTAR* mark(s).

31. Since at least as early as 1981, the Opposer has been, and is now, using the mark *DARKSTAR* in connection with the sale of goods and services in numerous classes. Said use has been valid and continuous since said date of first use and has **not** been abandoned.

32. If the Applicant is permitted to register the mark, and thereby, the *prima facie* exclusive right to use in commerce the mark **DARKSTAR** on the goods and goods licensed and sold by the Opposer, confusion is likely to result from any concurrent use of Opposer's mark *DARKSTAR* and that of the Applicant's alleged mark **DARKSTAR**, all to the great detriment of Opposer, who has expended it's lifetime and considerable sums and effort in promoting its well known mark.

33. Purchasers are likely to consider the goods of the Applicant sold under the mark **DARKSTAR** as emanating from the Opposer, and purchase such products as those of the Opposer, resulting in loss of sales to Opposer.

34. Applicant's mark **DARKSTAR**, when used on or in connection with the goods of the Applicant, are merely descriptive or deceptively misdescriptive of the goods.

35. Opposer's famous family of *DARKSTAR* marks are marketed in concert.

36. The Applicant's goods, defined in it's application, **near infrared imaging systems comprised of low light video camera, near infrared emitter and video display for providing night vision**, does not identify with reasonable certainty what goods are to be covered under the mark **DARKSTAR**.

37. Upon information and belief, said application was obtained fraudulently in that the formal application papers filed by Applicant, under notice of §1001 of Title 18 of the United States Code stated that Applicant had a valid intent to use. Said statement was false. Said false statement was made with the knowledge and belief that it was false, with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration in that the Applicant, at the time it filed it's said *intent to use* application and declaration were in fact already using it's said mark in commerce.

38. Upon information and belief, said Applicant was using the mark **DARKSTAR** as a service mark prior to *September 5, 2001*.

39. Upon information and belief, said Applicant was using the mark **DARKSTAR** as a tradename prior to *September 5, 2001*.

40. Upon information and belief, said Applicant was using the mark **DARKSTAR** on the goods listed in it's application prior to *September 5, 2001*.

41. Upon information and belief, said application was obtained *fraudulently* in that the formal application papers filed by Applicant, under notice of §1001 of Title 18 of the United States Code stated that Applicant had a valid intent to use when Applicant filed it's Trademark application on *September 5, 2001*.

42. Applicant's said statement was false. Applicant had been using the said mark on all or some of the goods listed in it's application long prior to the filing of it's application on *September 5, 2001*.

43. Applicant's intent to use application was a fraud in that Applicant had use on some or all of the said goods listed therein bearing the mark **DARKSTAR** long prior to the

filing date of *September 5, 2001*.

44. Applicant's said intent to use statement was a false statement and was made with the knowledge and belief that it was *false*, with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration.

45. Upon information and belief, said statement of *intent to use* of the mark **DARKSTAR** on the goods in question, was made by an authorized agent of Applicant with the knowledge and belief that said statements was false. Said false statements were made with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration.

46. Applicant's mark **DARKSTAR** was not applied for according to it's correct type¹, as shown in it's said application.

47. Upon information and belief, the Applicant was not the owner of the mark for which the registration is requested².

48. Upon information and belief, Applicant's intent to use application was signed with the knowledge that another party had a right to use the mark in commerce on the same or similar goods.

49. Concurrent use of the mark **DARKSTAR** by the Applicant and *DARKSTAR* by the Opposer may result in irreparable damage to Opposer's Marketing and/or Trademark Licensing Program, reputation and goodwill.

50. If the Applicant is permitted to obtain a registration of the mark **DARKSTAR**, a cloud will be placed on Opposer's title in and to its trademark, *DARKSTAR*, and on its right to enjoy the free and exclusive use thereof in connection with the sale of its goods and/or services, and on its Trademark Licensing Program, all to the great injury of the Opposer.

51. Applicant's should be denied registration of it's mark because the identification of its goods, **near infrared imaging systems comprised of low light video camera, near infrared emitter and video display for providing night vision**, is too indefinite to qualify

1. See §108 of the TMEP, page 100-5, Registration As Correct Type of Mark - It is important that a mark be registered according to its correct type, if it is not, the registration may be subject to cancellation. See *National Trailways Bus System v. Trailway Van Lines, Inc.*, 222 F. Supp 143, 139 USPQ 54 (E.D.N.Y. 1963), and 269 F. Supp. 352, 155 USPQ 507 (E.D.N.Y. 1965).

2. See *Huang v. Tzu Wei Chen Food Co. Ltd.*, 849 F.2d 1458, 7 USPQ2d 1335 (Fed. Cir. 1988). See TMEP §§706.01 and 802.06 §1 of the Trademark Act 15 U.S.C. §1051.

for Federal trademark registration.

52. Upon information and belief, Applicant's Intent to Use Application was signed with the knowledge that another party had a right to use the mark in commerce.

53. The registration to Applicant of the mark **DARKSTAR** shown in the aforesaid application is likely to and will result in financial and other injury and damage to the Opposer in its business and in its enjoyment of its established rights in and to its said mark **DARKSTAR**.

54. Applicant uses its mark to describe a new technology, and to describe a feature or function of its product(s).

55. Applicant has a bad faith adoption of the said mark sought to be registered.

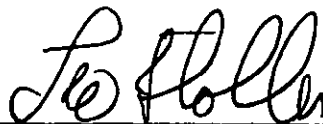
56. Applicant uses the said mark descriptively to describe a feature or function of their product(s). See attached true and correct copies of web pages from Applicant's web site.

WHEREFORE, Opposer prays that the said Application for the trademark **DARKSTAR** be denied, that no registration be issued thereon to Applicant, and that this Notice of Opposition be sustained in favor of the Opposer and that Opposer is entitled to judgment.

Opposer hereby gives notice under Rule of Practice that after hearing and in any appeal on this opposition proceeding, it will rely on its large family of **DARKSTAR** registrations, incorporated herein and all of the goods and services listed and covered thereunder, in support of this Notice of Opposition.

The Opposer prays for such other and further relief as may be deemed by the Director of Patents and Trademarks to be just and proper.

Respectfully submitted,



Leo Stoller, Individually and
as President,
CENTRAL MFG. CO., (INC.) Opposer
Trademark & Licensing Dept.
P.O. Box 35189
Chicago, Illinois 60707-0189
773 283-3880 FAX 708 453-0083

Dated: May 16, 2003

DECLARATION

The undersigned, Leo Stoller, declares: that he is Director of Leo Stoller dba Central Mfg. and the President, of CENTRAL MFG. CO., a closely related company, both founded and operated by Leo Stoller as such, is authorized to execute this document on its behalf, that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

The Opposer submits true and accurate certified copies of the Registrations of its DARKSTAR marks jointly owned by Leo Stoller dba Central Mfg. Co. and Central Mfg. Inc., herein relied upon in support of its Opposition, and one (1) copy each, of registrations prepared and issued by the Patent and Trademark Office showing both the current status of and current title to the following registrations in support of its Notice of Opposition. All documents that are hereto attached are verified as copies of original certified documents. Notice of Reliance is hereby given that these registrations (1 each) are offered into evidence and given in support of Opposer's Notice of Opposition. These Registrations have been assigned to CENTRAL MFG. CO.; notwithstanding what the said records show to be the current registrant of record.

Dated: May 16, 2003

By: 

Leo Stoller

By: 

Leo Stoller, President
CENTRAL MFG. CO. (INC.)

Certificate of Mailing

I hereby certify that the foregoing Notice of Opposition is being sent by
U.S. Mail, first class, with the United States Postal Service in an envelope addressed to:

Box TTAB/FEE
Assistant Commissioner of Patents and Trademarks,
2900 Crystal Drive,
Arlington, Virginia 22202-3513


Leo Stoller

Date: May 16, 2003

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THE DARK STAR BRAND

FEDERAL TRADEMARKS

REGISTRATION NUMBER	MARK	GOODS/SERVICES	LISTED OWNER
1,903,753	Dark Star Lager	<u>Int. Class 32:</u> Beer	Central Mfg. Co.
2,057,613	Dark Star	<u>Int. Classes 21, 23, 26, 36 and 38:</u> Audiocassettes, audio tapes, audio discs, and phonograph records all featuring science fiction matter; video discs, motion picture films, and pre-recorded videotapes, all featuring animated works about science fiction m	Central Mfg. Co.
2,061,586	Dark Star	<u>Int. Classes 2, 27, 28 and 50:</u> Clocks, watches; gold jewelry; ornamental lapel pins, in Class 14.	Central Mfg. Co.
2,071,763	Dark Star	<u>Int. Classes: 2, 5, 22, 23, 29, 37, 38 and 50:</u> Postcards, posters, campus maps, greeting cards, stationery, message and memo pads, checkbook covers, calendars, book marks, notebooks, letter openers, pencils, pens, desk sets, bumper stickers, decals, iron-on tr	Central Mfg. Co.

		<p>drawing rulers, ungraduated rulers, looseleaf binders, erasers, pencil sharpeners, paper coasters, paper hats, paper party hats, bulletin boards, highlighter pens, water globe paperweights, pocket secretaries, agenda books, staplers, book covers, painting</p>	
2,076,785	Dark Star	<p><u>Int. Classes 22, 23, 38 and 50:</u> Tennis rackets, golf clubs, tennis balls, golf balls, basketballs, baseballs, soccer balls, archery cross bows, hunting cross bows, tennis racket strings and shuttlecocks, toy airplanes, video game cartridges, hobby craft k</p>	Central Mfg. Co.
2,077,635	Dark Star	<p><u>Int. Classes 100, 101 and 107:</u> Series of television and radio programs about science fiction; musical entertainment services by a vocal group; arcade service for video amusement games; organizing and conducting sporting events for tennis and golf; amuseme</p>	Central Mfg. Co.
2,081,347	Dark Star	<p><u>Int. Classes 1, 2, 3, 22 and 41:</u> Tote bags, book bags, all purpose sport bags, duffel bags, beach bags, backpacks, umbrellas, handbags, purses, wallets, luggage, leather key fobs, suitcases, walking sticks, riding whips, leather traveling bags, leather key</p>	Central Mfg. Co.

2,081,565	Dark Star	<u>Int. Classes 19, 21, 23, 31, 35 and 44:</u> Motorcycles, bicycles, boats, tires, in Class 12.	Central Mfg. Co.
2,083,721	Dark Star	<u>Int. Classes 22 and 39:</u> Athletic shoes, cloth baby bibs, bandannas, baseball caps, baseball shirts, blouses, baby buntings, caps, casual pants, casual shoes, swaddling clothes, collars, coveralls, dress shirts, dresses, garter belts, gloves, golf shirts,	Central Mfg. Co.
2,110,838	Dark Star	<u>Int. Classes 100, 101 and 102:</u> Financial planning; investment management; insurance consultation, in Class 36.	Central Mfg. Co.
2,127,199	Dark Star	<u>Int. Classes 1, 4, 6, 50, 51 and 52:</u> Laundry bleach, laundry detergent; all- purpose cleaning preparations; floor polish; furniture polish; chrome polish; scouring liquids; general purpose scouring powder; skin abrasive preparations; skin soap, perfume; col	Central Mfg. Co.
2,128,797	Dark Star	<u>Int. Classes 2, 13, 22, 25, 32 and 50:</u> Furniture; mirrors; picture frames; sleeping bags; seat cushions; non-metal trophies; key rings with plastic fobs; pillows; folding stadium seats; air cushions; wooden figurines; wall plaques;	Central Mfg. Co.

		plastic name badges; upholstered furniture; wall mirrors; children's furniture, namely, seats, toy boxes, bedroom furniture, and chests in Class 20.	
2,128,798	Dark Star	<u>Int. Classes 6, 11 and 16:</u> Mordants for use in the area of pipelines; varnish; colorants for use in the manufacture of paint; colorants for use in the manufacture of cosmetics; corrosion inhibiting paint type coatings for commercial marine use; house pain	Central Mfg. Co.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 14, 1998

PTAS

LEO STOUER
PO BOX 35189
CHICAGO, IL 60707-0189

[REDACTED]
100778776A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/27/1998

REEL/FRAME: 1760/0818
NUMBER OF PAGES: 14

BRIEF: ASSIGNMENT OF AN UNDIVIDED PART OF ASSIGNOR'S INTEREST

ASSIGNOR:
S INDUSTRIES, INC.

DOC DATE: 11/01/1997
CITIZENSHIP: DELAWARE
ENTITY: CORPORATION

ASSIGNEE:
CENTRAL MFG. CO.
PO BOX 35189
CHICAGO, ILLINOIS 60707-0189

CITIZENSHIP: DELAWARE
ENTITY: CORPORATION

✓ APPLICATION NUMBER: 75219633
✓ REGISTRATION NUMBER: 2128798

FILING DATE: 12/30/1996
ISSUE DATE: 01/13/1998

MARK: DARK STAR
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75219634
REGISTRATION NUMBER: 2127199

FILING DATE: 12/30/1996
ISSUE DATE: 01/06/1998

MARK: DARK STAR
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75154345
REGISTRATION NUMBER: 2057613

FILING DATE: 08/22/1996
ISSUE DATE: 04/29/1997

MARK: DARK STAR
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75157566
REGISTRATION NUMBER: 2573711

FILING DATE: 08/29/1996
ISSUE DATE:

MARK: DARK STAR
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75152224
REGISTRATION NUMBER: 2081565

FILING DATE: 08/19/1996
ISSUE DATE: 07/22/1997

MARK: DARK STAR
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75154344
REGISTRATION NUMBER: 2061586

FILING DATE: 08/22/1996
ISSUE DATE: 05/13/1997

MARK: DARK STAR
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75129210
REGISTRATION NUMBER: 2071763

FILING DATE: 07/02/1996
ISSUE DATE: 06/17/1997

MARK: DARK STAR
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75129214
REGISTRATION NUMBER: 2081347

FILING DATE: 07/02/1996
ISSUE DATE: 07/22/1997

MARK: DARK STAR
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75129632
REGISTRATION NUMBER: 2138777

FILING DATE: 07/03/1996
ISSUE DATE:

MARK: COLDBUSTERS
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75130222
REGISTRATION NUMBER: 2083721

FILING DATE: 07/05/1996
ISSUE DATE: 07/29/1997

MARK: DARK STAR
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

1760/0818 PAGE 3

✓ APPLICATION NUMBER: 74698787
REGISTRATION NUMBER: 2676785

FILING DATE: 07/10/1995
ISSUE DATE:

MARK: LPG

DRAWING TYPE: STYLIZED WORDS, LETTERS, OR NUMBERS

✓ APPLICATION NUMBER: 75218045
REGISTRATION NUMBER: 2110838

FILING DATE: 12/24/1996
ISSUE DATE: 11/04/1997

MARK: DARK STAR

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

✓ APPLICATION NUMBER: 75154346
REGISTRATION NUMBER: 2077635

FILING DATE: 08/22/1996
ISSUE DATE: 07/08/1997

MARK: DARK STAR

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



UNITED STATES PATENT AND TRADEMARK OFFICE

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(Dark Star)[COMB]

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Current Search: S6: (Dark Star)[COMB] docs: 34 occ: 140

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	78165271		DARK STAR PHOTOGRAPHY	TARR	DEAD
2	76308975	2708628	DARKSTAR	TARR	LIVE
3	76440028		SALVE TO A HURTING WORLD; THE BRIGHT & MORNING STAR; HE'S THE LILLY OF THE VALLEY; SEE THE LIGHT; HE OPENS DOORS & CLOSED WINDOWS; HE'S 'JOY' IN TIMES OF SORROW; A 'MOTHER' FOR THE MOTHERLESS; A 'FATHER' FOR THE FATHERLESS; 'FRIEND' FOR THE FRIENDLESS; A 'LAWYER' IN A COURTROOM; HE WAS A CARPENTER; HE CALMED THE WATERS; HE FEARED NO MAN; HE'LL MAKE YOU 'FISHER'S' OF MEN; ONLY BELIEVE; BABY BOY; ROSE OF SHARON; MARY'S BABY; OH, GIVE THANKS; SEE THE MANGER; WISE MEN SEEK HIM; HE WALKED AMONG MEN; HE LOVED HIS MOTHER; HE LOVED HIS EARTHLY FATHER; HE WAS HIS HEAVENLY FATHER'S SON, TOO!; HE 'CLEARED' THE TEMPLE; HE SENT HIS SON INTO A DYING WORLD; HE SENDS ANGELS INTO DARK ROOMS; HE WAS DANIEL'S PROTECTOR; HE WAS WITH THE HEBREW BOYS; IMAGINE THE 'BURNING BUSH'	TARR	LIVE
4	76095693	2655535	DARK STAR	TARR	LIVE
5	76001616		DARKSTAR	TARR	LIVE
6	75933771		DARKSTAR DESIGN	TARR	LIVE
7	75130222	2083721	DARK STAR	TARR	LIVE
8	75157566	2576910	DARK STAR	TARR	LIVE
9	75760698	2564888	DARK STAR	TARR	LIVE
10	75115618		DARKSTAR	TARR	DEAD
11	75877749		DARK STAR RECORDS	TARR	DEAD

12	75721904		DARK STAR	TARR	DEAD
13	75649028	2309365	1LB. DARK STAUFFER'S CHOCOLATE STARS DARK CHOCOLATE COVERED GRAHAM CRACKERS	TARR	LIVE
14	75627890		DARKSTAR	TARR	DEAD
15	75458224		DARK STAR	TARR	DEAD
16	75446265		DARKSTAR	TARR	DEAD
17	75219634	2127199	DARK STAR	TARR	LIVE
18	75219633	2128798	DARK STAR	TARR	LIVE
19	75219632	2128797	DARK STAR	TARR	LIVE
20	75218045	2110838	DARK STAR	TARR	LIVE
21	75173015		DARK STAR	TARR	DEAD
22	75154346	2077635	DARK STAR	TARR	LIVE
23	75154345	2057613	DARK STAR	TARR	LIVE
24	75154344	2061586	DARK STAR	TARR	LIVE
25	75152224	2081565	DARK STAR	TARR	LIVE
26	75129214	2081347	DARK STAR	TARR	LIVE
27	75129210	2071763	DARK STAR	TARR	LIVE
28	74697787	2076785	DARK STAR	TARR	LIVE
29	74427158	1903753	DARK STAR LAGER	TARR	LIVE
30	74362700	1849464	DARK STAR	TARR	DEAD
31	74320116		DARK STAR	TARR	DEAD
32	74081095		FAB STAR "YOU LOOK FABULOUS" DARK TANNING STICKS	TARR	DEAD
33	73834900	1607124	DARK STAR	TARR	DEAD
34	73366542	1252499	DARK STAR	TARR	DEAD

WHY OBTAIN A *DARK STAR*® LICENSE...

Americans are brand conscious. More than 95 percent of all products sold in America are branded goods and more than \$120 billion is spent in advertising to create and maintain brand images for those products. The reason: Consumers' buying habits are tied to how they think and feel about a brand.

In today's competitive marketplace, the licensing of brand names for new products - essentially, borrowing an established brand name in order to sell more product - has become increasingly prevalent. Sales of licensed products in the U.S. now total more than \$151 billion a year and over 40% of all goods sold are licensed products.

The reasons are simple. Building a brand image for a new product is extremely costly. And there's no guarantee that an expensive brand image campaign will work. Licensing your products and services under an established trademark brings instant recognition and acceptance with your customers. Licensing endows your products and services with the power of the images carried by the brand name trademark, giving you the opportunity to:

- * Introduce products more easily and enter the market from a position of strength.
- * Achieve instant customer awareness and help increase market share without risking large marketing expenditures.
- * Create instant enthusiasm and interest among your customers.
- * Sell a greater volume of products or services due to your customers' increased interest.
- * Sell your products or services for a greater profit margin.
- * Avoid trademark litigation.

Licensing an established trademark for your products or services just makes good business sense. The enormous power of *DARK STAR*® trademarks can mean instant buyer appeal for your products and services. As a *DARK STAR*® licensee, you are part of a team company already marketing their products and services using *DARK STAR*® trademarks. Their success is proof of what a *DARK STAR*® license can do for you.

DARK STAR® LICENSING PROGRAM

Licensee Requirements

As a prerequisite for becoming a *DARK STAR®* licensee, a distributor, manufacturer or service company should consider the following requirements:

PRODUCT OR SERVICE CATEGORY:

An appropriate product category that would utilize and compliment the *DARK STAR®* image.

MARKETING:

A proven track record of marketing.

RESOURCES:

Adequate resources - production, financial and manpower to undertake such an expanded program.

STYLING AND QUALITY:

Ability to ensure good styling and consistent quality products or services.

PRODUCTION:

Efficient manufacturing and/or sourcing to ensure on-time delivery of value packed products.

OBJECTIVES:

Long-term objectives of continued growth in sales and profits.

To an increasing extent, all types of buyers, including buyers for mass market retail outlets, are demanding brand names with image. Their customers want established brand names as a guarantee of quality, value and good styling. More and more manufacturers are being encouraged to provide brand names in order to maintain and expand their market position. Some companies who already have one or more brand names are seeking additional identification programs due to their demonstrated success with branded goods and services. Others, who have no brands or the wrong brands, need a brand to survive.

For companies that qualify, the *DARK STAR®* brand could be the answer.

DARK STAR® LICENSING PROGRAM

See Rentamark famous brands available for licensing at
www.rentamark.com

The nature of the major terms of the License Agreement are indicated hereunder.

ROYALTY RATE:

Royalty rates are a negotiable percent of the sale price charged by Licensee for each licensed product and/or service sold.

TERM OF AGREEMENT:

Basic life of agreement coordinated with requirements of product development; usually three or more contract years, with the first contract year being long enough to allow "start-up" time.

MINIMUM SALES:

Minimum sales target projections mutually determined.

MINIMUM ROYALTIES:

Annual guaranteed minimum royalty realistically assessed.

ADVANCE PAYMENT:

A reasonable portion of the Minimum Royalties (not an additional fee).

RENEWALS:

Renewal terms based on performance to capitalize upon success of the program.

LICENSING *DARK STAR*® ENABLES YOU TO

- * DIFFERENTIATE AMONG PARTY PRODUCTS**
- * ENJOY EASIER TRADE ACCEPTANCE**
- * JUSTIFY A PREMIUM PRICE POINT**
- * GENERATE QUICK CONSUMER TRIAL**
- * ACHIEVE SIGNIFICANT MARKET SHARE QUICKLY**
- * AVOID TRADEMARK LITIGATION**

***STEALTH*®, *SENTRA*®, *TERMINATOR*®
AND *DARK STAR*®**

D/B/A

RENTAMARK.COM

P. O. Box 35189

Chicago, IL 60707-5189

Phone: (773) 283-3880 Fax: (708) 453-0083

Email: info@rentamark.com

**See our list of other famous brands available for
licensing at www.rentamark.com**

Contact us about representing and licensing your brand

PROTECT YOUR COMPANY'S ASSETS WITH A RENTAMARK® BRAND TRADEMARK LICENSE

Pick the wrong name for your new product or service and you stand to LOSE BIG TIME! That's what lots of companies learn when they find themselves on the wrong side of a trademark infringement action. Over \$2 billion was spent last year in litigation and legal expenses due to **misuse of trademarks**. And it's not only the Fortune 500 firms who get hurt. It's the small to mid-size companies with little experience in trademark law, who often don't find out until an attorney sends a warning letter to "cease and desist" or you get served with a Federal Trademark infringement lawsuit.

Any company can pay hundreds of thousands of dollars in legal expenses fighting an infringement suit with no guarantee of success. If you lose, you'll not only have to rename your product, reprint all the sales literature, and redo the advertising, you'll also **suffer a major loss** of credibility with your customers and possibly owe treble damages to the winner and attorneys' fees. For many, the enormous legal expenses of defending a trademark dispute can literally mean the **END OF YOUR BUSINESS**.

Now you can protect your business with a **RENTAMARK®** famous brand trademark license agreement. Merely choose a **RENTAMARK®** brand famous trademark for use on your product or service and allow **RENTAMARK®** to police and protect the trademark.

Some of our famous brand names include, but are not limited to:

SENTRA®
STEALTH®
DARK STAR®
TERMINATOR®
AIRFRAME®
FIRE POWER®
NIGHT STALKER®
STRADIVARIUS®
TRILLIUM®

Visit our website at: **WWW.RENTAMARK.COM**

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DarkStar

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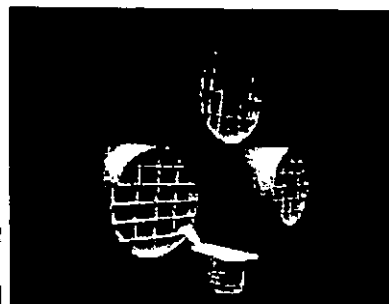
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Introducing the DarkStar™

Making it possible to see in total darkness

Northern Telepresence Corporation

Innovative Video Solutions

P. O. Box 267 Cambridge, Vermont 05444

(800) 690-8910 Fax (802) 644-5872

ntcvideo@ntcvideo.com

This new innovative CCTV product broadens the scope of surveillance capabilities!

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Technology

DarkStar CCTV technology is a unique new method of integrating crisp, high resolution black and white "night vision" video into existing CCTV networks.

Each DarkStar comes completely integrated, turn-key and ready to install. The basic system is supplied with two DarkStar infrared illuminators, one extreme low-light (.0003 lux) camera with an auto-iris lens, day/night sensor, and mounting hardware. The system comes with a 12mm auto iris lens but the lenses are easily interchangeable and available from 8mm through 50mm allowing wide application. The DarkStar illuminators and camera are housed in an elegant powder coated aluminum fixture with "O-ring" seals and vandal proof lens guards. The DarkStar can be directly mounted to walls, pedestals, pan/tilt units or any other suitable surface.

DarkStar CCTV utilizes a physical design that *does not resemble* traditional surveillance camera housings. Instead, DarkStar resembles elegant building or grounds lighting. This design allows state-of-the-art surveillance with style. Color choices include Verdi Green, Bronze, White and Black.

Rather than using LED's which provide a limited visual range, the illuminators utilize a standard 75 watt AC flood or spotlight with IR filters. The emitted infrared is "invisible to the human eye yet the camera optics are tuned (peak spectral response) to the specific infrared wavelengths. The result is a clear black and white video image out to several hundred yards in complete darkness. The bulbs will last over one thousand hours and are available at any local hardware store.

Technology

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DarkStar was developed for people to enjoy and operate their boats as safely at night as during daylight. Whether it be a pre-dawn excursion to a favorite fishing hole or late night navigating through crowded mooring fields, DarkStar was designed to give the user night time visual acuity while maintaining natural night vision and situational awareness.

DarkStar technology involves the integration of extreme low light video imaging coupled with highly tuned infrared light emission. The result is a black and white video image displayed on a monitor of choice. The emitted infrared is "invisible" to the human eye yet the camera optics are tuned (peak spectral response) to the specific infrared wavelengths.

Present standard night vision devices degrade in performance as ambient light diminishes whereas DarkStar's image *improves* the darker it gets. This is important on cloudy or moonless nights. With use of first or third generation night vision, the standard technology relies on ambient light (the green screen) to produce an image. The less ambient light, the less the image.

Current night vision technology typically entails wearing "goggles" or peering through a monocular or binocular device. DarkStar is not worn, it is viewed as watching television. DarkStar imaging can be displayed on any NTSC compatible video monitor. The monitor can be selected from choices provided by NTC: high resolution flat screen display, miniature b/w displays or even Sony Glasstron virtual glasses. DarkStar can be used with your existing monitor. The practical result is a real-time, black and white image that can be visually referenced to as needed.

Mobile Marine Infrared Spotlight

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Northern Telepresence proudly introduces the DarkStar™ Mobile / Marine as the latest addition to the DarkStar™ line of infrared video products. The Mobile / Marine model offers all the benefits of traditional night vision plus features allowing expanded operational use.

The DarkStar™ Mobile / Marine combines an extreme low-light camera with optically tuned infrared light resulting in a crisp black and white video image on a high-resolution flat screen display. The hand held imaging system has the capability of providing facial identification at over one hundred feet, gender identification or vehicle make and model up to hundreds of yards— all in zero light conditions.

The DarkStar™ Mobile / Marine has one 75 watt emitter with a removable optical filter for the ability to use as visible spotlight. By increasing the bulb wattage, the effective viewing range can be greatly enhanced. The spotlight has an adjustable beam pattern, from spot to flood. When the spotlight is switched on, the camera optics are tuned to the specific infrared wavelengths that are "invisible" to the human eye producing the black and white image.

The camera lens supplied is a 50mm, however, unlike traditional night vision devices, the DSM/M features interchangeable lenses, a video output jack and open architecture design. The video out jack is integrated for the ability to easily plug into any recording system. The monitor is attached by a slide latch making it easily removable for use with a supplied video extension cable.. With the use of the extension cable the display can be up to 6 feet away from the hand held unit. A swivel display mount is also provided for use on vehicles or boats. The DarkStar™ has a DC power coil cord that plugs into standard cigarette receptacles or can be used with a battery pack. The unit weighs under 3 pounds.

About NTC

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Northern Telepresence Corporation (NTC) was founded in Vermont in 1993. Our mission is to provide 'real time' or stored video in a variety of applications.

Since 1994, NTC has been a supplier of innovative video solutions for law enforcement and corporate security. Our consumer division is new in 2001 and our goal is to make similar technologies available to the consumer.

If you have a unique situation or a larger need than what DarkStar™ products provide, please contact us via e-mail or by phone for gratis consultation.

Northern Telepresence Corporation

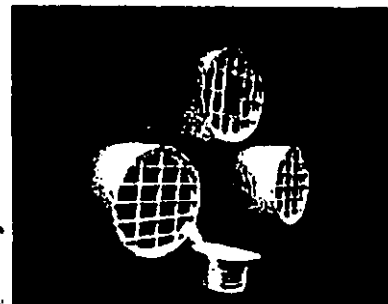
Innovative Video Solutions

P. O. Box 267 - Cambridge, Vermont 05444 - (800) 690-8910

ntcvideo@ntcvideo.com

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Introducing the DarkStar™

Making it possible to see in total darkness

Northern Telepresence Corporation

Innovative Video Solutions

P. O. Box 267 Cambridge, Vermont 05444

(800) 690-8910 Fax (802) 644-5872

ntcvideo@ntcvideo.com

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: April 16, 2003

Applicant: Northern Telepresence Corporation
Serial No.: 76308975
Filed: 09/05/2001
Mark: DARKSTAR

Leo Stoller
Central Mfg. Co.
P.O. Box 35189
Chicago, IL 60707-0189

Eric McWilliams, Legal Assistant

On April 3, 2003, potential opposer herein, Central Mfg. Co. filed an unsigned request for an extension of time to oppose the above-identified application.

Potential opposer is advised that Trademark Rule 2.119(e) provides that every paper filed in an inter partes proceeding, and every request for an extension of time to file an opposition, must be signed by the party filing it, or by the party's attorney or other authorized representative, but an unsigned paper will not be refused consideration if a signed copy is submitted to the Patent and Trademark Office within the time limit set in the notification of this defect by the Office.

Accordingly, potential opposer is allowed until May 18, 2003 in which to submit a signed copy of its request for extension of time to oppose, failing which the request will not be given any consideration.

REQUEST FOR AN EXTENSION
AS PER BOARD ORDER 4-18-03
FOR SN 76308975

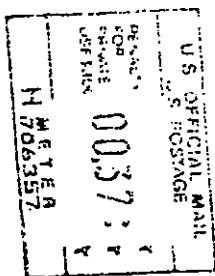
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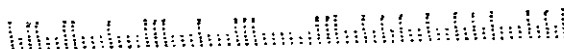
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P.O. Box 35189
Chicago, IL 60707-0189



**IN THE UNITED PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL & APPEAL BOARD**

CENTRAL MFG. CO.
P O Box 35189
Chicago, IL 60707-0189
Potential Opposer,

vs.

Northern Telepresence Corp

Trademark: DARKSTAR

Application SN: 76 308975

Int. Class No: 009

Filed: 09/05/01

Published: January 28, 2003

Applicant.

Box TTAB/NO FEE
(IN TRIPLICATE)

REQUEST FOR A NINETY DAY EXTENSION

OF OPPOSITION PERIOD

NOW COMES the Potential Opposer and requests a extension of ninety (90) days from the present close of the opposition period, up to and including May 27, 2003 within which to consider the filing of an Opposition to the above identified application for trademark registration.

Potential Opposer invites opposing counsel to contact the Potential Opposer at Tel No. 773/283-3880 (L. Stoller) in order to discuss settlement of this potential trademark controversy as between the parties and/or to file an express abandonment.

This extension is requested to investigate facts, obtain documentation, and to enable the Potential Opposer to consider its position with regard to opposition of this application.

Respectfully submitted,

Leo Stoller

By: Leo Stoller Pres.
Central Mfg. Co., Potential Opposer
Trademark and Licensing Department
P.O. Box 35189
Chicago, Illinois 60707-0189
773 283-3880 FAX 708 453-0083

Certification of Mailing

I hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to:
Box TTAB/NO FEE, Asst. Commissioner of Patents and Trademarks,
2900 Crystal Drive, Arlington, Virginia 22202-3513

Leo Stoller 4/29/03
Leo Stoller

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Arlington, VA 22202-3513

05-19-2003
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CENTRAL MFG. CO. v. NORTHERN TELEPRESENCE CORP.

Trademark: DARKSTAR
Application SN 76-308,975 Int. Cl. No. 09

1. NOTICE OF OPPOSITION
(a) with exhibits

2. Filing Fee of \$300.00 - Check enclosed [#]1357

Mailed: May 16, 2003

Ref. 441

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02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

APPLICANT: NORTHERN TELEPRESENCE CORP.
OPPOSER: LEO STOLLER
CENTRAL MFG. CO. (INC.)
APPLICATION SN: 76-308,975
TRADEMARK: DARKSTAR
INT. CL. NOS: 09
FILED: September 5, 2001

Ms. Jean Brown
Board Administrator Attorney,
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513
703 308-9300

Dear Ms. Jean Brown:

In the instant case, we appreciate your serving upon the Applicant, the Opposer's Notice of Opposition.

A copy of a Request for a Ninety Day Extension until *May 27, 2003* is attached.

This Notice of Opposition was sent by mail with the U.S. Postal Service by first class mail.

Most Cordially,



Leo Stoller, Individually and
as President
CENTRAL MFG. CO., (INC.) Opposer
Email - Leo@rentamark.com
Trademark & Licensing Dept.
P.O. Box 35189
Chicago, Illinois 60707-0189
773-283-3880 Fax 708/283-0083

Dated: May 16, 2003

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: April 18, 2003

Applicant: Northern Telepresence Corporation
Serial No.: 76308975
Filed: 09/05/2001
Mark: DARKSTAR

Leo Stoller
Central Mfg. Co.
P.O. Box 35189
Chicago, IL 60707-0189

Eric McWilliams, Legal Assistant

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Accordingly, potential opposer is allowed until May 13, 2003, in which to submit a signed copy of its request for extension of time to oppose, failing which the request will not be given any consideration.

**IN THE UNITED PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL & APPEAL BOARD**

CENTRAL MFG. CO.
P O Box 35189
Chicago, IL 60707-0189
Potential Opposer,

vs.

Northern Telepresence Corp

Trademark: DARKSTAR

Application SN: 76 308975

Int. Class No: 009

Filed: 09/05/01

Published: January 28, 2003

Applicant.

Box TTAB/NO FEE
(IN TRIPLICATE)

REQUEST FOR A NINETY DAY EXTENSION

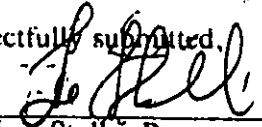
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Central Mfg. Co., Potential Opposer
Trademark and Licensing Department
P.O. Box 35189
Chicago, Illinois 60707-0189
773 283-3880 FAX 708 453-0083

Dated: Feb. 25, 2003

Certification of Mailing

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2900 Crystal Drive, Arlington, Virginia 22202-3513


Leo Stoller

Dated: Feb. 25, 2003

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DATE: 2-26-04

TO: ERIC McWilliams #234

FAX: 703-7467085

FROM: LEO STOLLER

05-17-2004

U.S. Patent & TMO/TM Mail Rpt Dt. #22

FAX: 708-453-0083

OF PAGES: 1 of 5
(including this one)

RE: REQUEST FOR
AN EXTENSION
PER BOARD ORDER DATED
4/18/03

AS PER YOUR REQUEST, ERIC
PLEASE FIND A TIMELY REQUEST
FOR AN EXTENSION FILED ON
4/29/03 AS PER BOARD
ORDER DATED APRIL 18, 2003

Cordially

Leo Stoller

708-453-0080

** Fax Report **

Date : Feb 26,04 12:52

Location : USPTO

Pages : 05

Result : OK